

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PRUDENTIAL EQUITY GROUP, LLC,

Plaintiff,

v.

THOMAS R. AJAMIE, AJAMIE LLP,  
ROBERTWEISS, ROBERT H. WEISS &  
ASSOCIATES, LLP, JOHN MOSCOW,  
BRIAN ROSNER, ROSNER NAPIERALA  
LLP, DAVID ROBBINS, KAUFMANN  
FEINDER YAMIN GILDIN & ROBBINS,  
LLP, WALLACE SHOWMAN, BERNSTEIN  
LITOWITZ BERGER & GROSSMANN LLP,  
ROBERT KRAUS, KRAUS &  
ZUCHLEWSKI LLP, MARTIN KROLL,  
KROLL, MOSS & KROLL LLP, JOHN  
DOES 1-25, and ABC CORPORATIONS 1-  
25,

Defendants.

Case No. 07-CV-5606 (JSR)

**ECF**

**NOTICE OF MOTION TO DISMISS  
CERTAIN CROSSCLAIMS OF JOHN  
MOSCOW**

To: Robert L. Herbst, Esq.  
Beldock, Levine & Hoffman, LLP  
99 Park Avenue, Suite 1600  
New York, New York 10016  
Attorneys for Defendant, John R. Moscow  
and

Eric J. Grannis, Esq.  
Law Office Of Eric J. Grannis  
620 Fifth Avenue  
New York, New York 10020  
Attorneys for Defendants,  
Thomas R. Ajamie, Esq., Ajamie, LLP, and  
Wallace Showman

and

All Other Counsel of Record

PLEASE TAKE NOTICE that on October 4, 2007, or as soon thereafter as counsel may be heard, the undersigned attorney for interpleader defendants Brian Rosner (“Rosner”) and Rosner & Napierala, LLP (“R&N”) will move this Court, located at Room 1340, 500 Pearl Street, New York, NY 10007, for an order dismissing certain claims made (“Subject Claims”) by interpleader defendant John Moscow (“Moscow”) against Rosner and R&N in Moscow’s “Cross-Claims Against Defendants-in-Interpleader” filed August 3, 2007.

PLEASE TAKE FURTHER NOTICE that the grounds for this Motion are, inter alia, that: (i) the Subject Claims do not meet the requirements of Federal Rule of Civil Procedure 13(g); and (ii) the Court lacks supplemental subject-matter jurisdiction over them.

PLEASE TAKE FURTHER NOTICE that opposition to this Motion is due on September 20, 2007; and that any reply thereto is due on September 27, 2007.

PLEASE TAKE FURTHER NOTICE that movant shall rely upon the accompanying Memorandum of Law in support of the relief sought hereby.

Dated: September 6, 2007  
Chatham, New Jersey

FINESTEIN & MALLOY, L.L.C.

/s/ Michael D. Malloy  
Michael D. Malloy (MM 5196)  
26 Main Street  
Chatham, New Jersey 07928  
Telephone: (973) 635-4500  
Facsimile: (973) 635-4543  
Attorneys for Brian Rosner, Esq.  
and Rosner & Napierala, LLP